

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

C/M

RYAN O. GITTENS,

Petitioner,

-against-

WILLIAM BARR, JEH JOHNSON, and  
CHAD WOLF,

Respondents.

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**MEMORANDUM  
DECISION AND ORDER**

20-cv-276 (BMC)

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X

**COGAN**, District Judge.

Petitioner filed this instant *pro se* action seeking mandamus relief pursuant to 28 U.S.C. § 1361 and requests the Court compel defendants to reopen and adjudicate *nunc pro tunc* his previously filed naturalization application.<sup>1</sup> By letter dated January 16, 2020, the Court informed petitioner that his submission was deficient because he failed to pay the \$400 filing fee to commence the action or request to proceed *in forma pauperis* (“IFP”). Petitioner was provided with the IFP form and instructed that in order to proceed, he must either pay the filing fee or return the completed IFP form within 14 days. Petitioner failed to respond to the Court’s letter.

Accordingly, the action is dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma*

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<sup>1</sup> Petitioner has filed four prior actions with the Court seeking essentially the same relief. See *Gittens v. Holder*, No. 10-cv-849, 2011 WL 3206911 (E.D.N.Y. July 27, 2011); *Gittens v. Holder*, No. 12-cv-2363, 2013 WL 839772 (E.D.N.Y. Mar. 6, 2013); *Gittens v. Holder*, No. 13-cv-3020; *Gittens v. Holder*, No. 15-cv-342.

*pauperis* status is denied for the purpose of any appeal. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

**SO ORDERED.**

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U.S.D.J.

Dated: Brooklyn, New York  
February 12, 2020